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Paul Nitze was the archetypical Cold Warrior and nuclear weapon strategist. As the author of NSC-68 commissioned by President Truman in 1950 he helped establish the ground rules for the Cold War and the thermonuclear confrontation. In this Report he wrote in 1950: "In the absence of effective arms control it would appear that we had no alternative but to increase our atomic armaments as rapidly as other considerations made appropriate." But in addition to being an outstanding national leader Paul Nitze was someone who could recognize change and respond to it. In the last op-ed that he wrote at the age of 92 in 1999 entitled "A Danger Mostly To Ourselves" he said.

"I know that the simplest and most direct answer to the problem of nuclear weapons has always been their complete elimination. My "walk in the woods" in 1982 with the Soviet arms negotiator Yuli Kvitsinsky at least addressed this problem on a bi-lateral basis. Destruction of the arms did not prove feasible then but there is no good reason why it should not be carried out now."

Senator Sam Nunn in an article in the Financial Times in December 2004 pointed to the immense danger that exists as a result of the fact that fifteen years after the end of the Cold War the United States and Russia still maintain, on fifteen minutes alert, long range strategic missiles equipped with immensely powerful nuclear warheads capable of

devastating each other's societies in thirty minutes. In 1995 Russia mistook the launch of a test rocket in Norway as a submarine launched nuclear missile aimed at Moscow and came within two minutes of ordering a retaliatory nuclear strike on the United States. Senator Nunn said in his article that our current nuclear weapon policies which in effect rely on the deteriorating Russian early warning system continuing to make correct judgments as it did during the Cold War "risks an Armageddon of our own making."

And former Defense Secretary William Perry, a scientist not given to exaggeration, said not long ago that in his judgment there could be a greater than 50 percent chance of a nuclear detonation on U.S. soil in the next decade.

The Nuclear Non Proliferation Treaty (NPT) is the centerpiece of world security. President John F. Kennedy truly feared that nuclear weapons might well sweep all over the world. In 1962 there were reports that by the late 1970s there would be 25-30 nuclear weapon states in the world with nuclear weapons integrated into their arsenals. If that had happened there would be many more such states today--in September of 2004, the Director General of the International Atomic Energy Agency (IAEA), Mohamed El Baradei, estimated that more than 40 countries now have the capability to build nuclear weapons. Under such conditions every conflict would carry with it the risk of going nuclear and it would be impossible to keep nuclear weapons out of the hands of international terrorist organizations they would be so widespread.

But such weapon proliferation did not happen and the principal reason that it did not was the negotiation of the NPT and its entry into force in 1970, buttressed by the policies of extended nuclear deterrence -- the nuclear umbrella -- followed by the United States and the Soviet Union with their Cold War Treaty Allies. Indeed since 1970, at

least until now, there has been very little nuclear weapon proliferation. In addition to the five nuclear weapon states recognized by the NPT -- the United States, Britain, France, Russia and China, three states, India, Pakistan, and Israel and perhaps North Korea have built nuclear weapon arsenals -- but India and Israel were already well along in 1970. This is far from what President Kennedy feared.

So to argue that the NPT has failed to prevent the spread of nuclear weapons is to simply deny reality. Yet, for example, the Washington Post said in an editorial several months ago, "the Nuclear Non-Proliferation Treaty is a limited asset. It has not stopped a string of countries from going nuclear and is not worth forgoing major prizes such as an Indian alliance in order to preserve it." To say that this is a misunderstanding of reality is an understatement. Until the entry into force of the NPT in 1970, the acquisition of nuclear weapons by a state was an act of national pride. Sweden had a program, Switzerland twice voted to have one, "Vive La France" read the headlines in Paris after the first French nuclear tests in 1960. If the NPT had not happened likely today we would live in a world where nuclear weapons exist in many national arsenals. States such as Syria, Iran, Cuba, Nigeria and many others would have nuclear weapons integrated into their national arsenals and Al Qaeda would probably have them too. The facts to date are far, far from that. That is why this Treaty, the NPT, truly has been the centerpiece of international security.

But the success of the NPT was no accident. It was rooted in a carefully crafted central bargain. In exchange for a commitment from the nonnuclear weapon states (today more than 180 nations, most of the world) not to acquire nuclear weapons and to submit to international safeguards to verify compliance with this commitment, the NPT nuclear

weapon states pledged unfettered access to peaceful nuclear technologies and undertook to engage in nuclear disarmament negotiations aimed at the ultimate elimination of their nuclear arsenals. It is this basic bargain that for the last three decades has formed the central underpinnings of the international nonproliferation regime.

However, one of the principal problems with all this has been that the NPT nuclear weapon states have never really delivered on the disarmament part of this bargain and the United States in recent years appears to have largely abandoned it. The essence of the disarmament commitment was that pending the eventual elimination of nuclear weapon arsenals called for in Article VI of the Treaty, the nuclear weapon states would agree to important interim steps including a treaty prohibiting all nuclear weapon tests, drastic reduction of their nuclear arsenals and a significant diminishment of the role of nuclear weapons in their security policies. None of this has been accomplished over 35 years later. As Mohammed El Baredi has said "we must abandon the unworkable notion that it is morally reprehensible for some countries to pursue weapons of mass destruction and acceptable for others to rely on them for security. . . if the world does not change course, we risk self destruction."

The United States, unlike the United Kingdom, France and Russia, has not delivered on its NPT obligation to support a comprehensive treaty banning all nuclear weapon tests -- as a result of the 1999 vote of the U.S. Senate rejecting the Comprehensive Test Ban Treaty (CTBT). In addition, the United States no longer pursues Treaty commitments to continue reductions in nuclear weapons as it is obligated to do under the NPT. As a result of the abandonment of the START process initiated by

President Reagan, there have been no negotiated reductions in nuclear weapon stockpiles since 1994 -- twelve years.

But what about the obligation to reduce the role of nuclear weapons in national security policies. In 1995, the United States, the United Kingdom, France and Russia made national statements in connection with a United Nations Security Council Resolution that, in effect, they would never use nuclear weapons against NPT non-nuclear weapon state parties, in other words a no-first-use, indeed a no use-commitment, for NPT non-nuclear weapon states. Such a commitment is also referred to as a negative security assurance, a long-sought goal of NPT non-nuclear weapon states. These commitments were made as part of the price to achieve the permanent extension of the NPT at the conference which followed soon thereafter. China, the other NPT nuclear weapon state, did not join in these statements as it has long had a general no-first-use-of-nuclear-weapons policy. The World Court, the next year found, in effect, these 1995 statements to be legally binding.

Throughout the Cold War, NATO doctrine held open the possibility of employing tactical nuclear weapons to hold off a massive Warsaw Pact conventional assault. Even with U.S. forces present in Europe in significant numbers, NATO forces were greatly inferior in size to the Warsaw Pact forces arrayed on the other side; the disparity in battle tanks, for example, was three to one. To redress this balance the United States deployed a large number of tactical nuclear weapons in Europe which undoubtedly helped to keep the peace and alleviate Soviet pressure on Western Europe. However, in the post-Cold War world, it is NATO that now has the conventional force preponderance in Europe -- by a two-to-one margin over the East. Thus, with the end of the Cold War the rationale

for the NATO doctrine of the possible first use of nuclear weapons has disappeared into history.

Likewise, since the beginning of the nuclear age it has been U.S. policy to reserve the right for the United States to use nuclear weapons in a conflict, against any adversary. This has been British and French policy as well and recently Russia changed its stated policy to preserve the first use of nuclear weapons as well. Even with the now-overwhelming world dominance of U.S. conventional forces, the United States continues to retain a first-use policy. Canada and Germany lobbied hard for a change in NATO doctrine to a no first-use policy on the occasion of the NATO Alliance 50th anniversary in 1999 to no avail against U.S. opposition.

Some have argued that if the U.S. were to change its policy to no-first-use (and NATO change its policy as well), then close U.S. allies, Germany and Japan, would lose confidence in U.S. extended deterrence (the nuclear umbrella) and seek nuclear weapons of their own. But here is Germany vigorously arguing for such a policy change in NATO and there is no indication that Japan's view is different, indeed the conclusion of the Tokyo Forum study mandated by the Japanese national legislature, the Diet, a few years ago was to the effect that Japan should support a no first use policy. The United States maintains this policy even though it has no military value and the United States has formally pledged under the NPT in 1995, as said above, in effect never to use nuclear weapons against NPT nonnuclear weapon states. No first-use is a particularly significant issue to focus on because it could be implemented immediately in that it is simply a declaratory policy. Yet an explicit, clearly enunciated policy of not introducing nuclear weapons into future conflicts would go a long way towards restoring the perceived good

faith of the United States concerning its NPT nuclear arms control and disarmament commitments as it would reinforce the defensive posture of U.S. nuclear forces and make clear that the sole purpose of the nuclear arsenal is to deter the use of nuclear weapons by others.

And now the other side of the NPT bargain has begun to fall apart. India and Pakistan eroded the NPT from the outside by each conducting a series of nuclear weapon tests in 1998 and declaring themselves to be nuclear weapon states. India, Pakistan and Israel maintain sizable unregulated nuclear weapon arsenals outside the NPT. The U.S. - India proposed nuclear cooperation Agreement, which among others things implicitly accepts India as a nuclear weapon state contrary to the NPT, will have a most negative effect. This proposed Agreement will break the fragile balance of the NPT central bargain by permitting nuclear cooperation with a NPT non--recognized nuclear weapon state without requiring the nonproliferation undertakings that apply to nearly all states. Part of the foundation of the central bargain is nuclear cooperation in exchange for non-proliferation which of course conflicts with the proposed Agreement with India.

North Korea withdrew from the NPT in 2003 and may have built up to eight or nine nuclear weapons. The DPRK has now agreed in principle to return to the NPT and to negotiate an end to its nuclear weapon program, but there has been no tangible progress in this direction other than rhetoric. And even if this should some day happen, under current international arrangements can we ever be certain that North Korea has in fact declared and eliminated whatever nuclear weapons it may have? The A. Q. Khan secret illegal nuclear weapon technology transferring ring based in Pakistan has been exposed but who can be sure that we have seen more than the tip of the iceberg? Iran is

suspected of having a nuclear weapon program and admitted in late 2003 that contrary to its IAEA safeguards agreement it failed to report its acquisition of uranium enrichment technology. Negotiations have not resolved this issue, although the resumption of negotiations between the European Union and Iran, with the United States participationg, is a hopeful sign. Nevertheless U.S. pursuit of UN sanctions against Iran remain a possibility.

But would it be wise to take Iran to the Security Council over this issue at this time? Last fall a newspaper close to Iran's Supreme Leader, Ayatollah Khamenei, in a front page editorial declared that if taken to the Security Council a first step for Iran would be to withdraw from the NPT. Not long ago the President of Iran implied that Iran might withdraw from the NPT, although the Foreign Ministry the next day stated that Iran remains committed to the Treaty. In general, intelligence estimates indicate that initial Iranian capability to build a bomb is at least five to ten years off. It appears that to date Iran has made little progress in this direction. Indeed some experts have said that in view of Iran's apparent determination to acquire a fully developed and complete nuclear fuel-cycle, as opposed to pursuing a crash course to build a bomb, initial nuclear weapon capability might not be achieved for as long as fifteen years.

The nuclear program is very popular in Iran. Some countries seem to believe that ultimately the only way that they can gain respect in this world, as President Lula of Brazil declared during his first election campaign a few years ago, is to acquire nuclear weapons — or at least being seen as able quickly to do so. During the Cold War, nuclear weapons distinguished Great Powers from others countries. The permanent members of the Security Council are the five NPT recognized nuclear weapon states. Forty years ago

Great Britain and France both asserted that status was the real reason that they were building nuclear weapons.

This high political value of nuclear weapons has not changed since the Cold War. India asserted in 1998 that it was now a big country, it had nuclear weapons. The world significantly lost interest in Ukraine once it gave up the nuclear weapons left on its territory after the collapse of the Soviet Union. The political value of nuclear weapons probably will remain high and in the end cause the NPT to fail, unless of course over time it can be significantly lessened. The only way that this can happen is for nuclear weapons to be delegitimized. This is what was supposed to happen pursuant to the central bargain of the NPT if it had been observed.

So how can NPT be saved? This issue should be addressed in two parts.

First, in order to restore the political legitimacy of the NPT central bargain, the NPT nuclear weapon states, principally the United States, must deliver on the disarmament part of the central bargain. Commitments were made on these disarmament issues in 1995 at the NPT Review and Extension Conference which were the political price for the permanent extension of the treaty and these commitments were reaffirmed by all the NPT nuclear weapon states, indeed all NPT parties, at the 2000 Review Conference. At a minimum for the United States this would mean, ratification of the CTBT, the Test Ban Treaty, accompanied by vigorous efforts with other holdouts such as China, India and Pakistan to bring the CTBT into force; the resumption of the nuclear weapon reduction process (the Strategic Arms Reduction Talks or START) between the United States and Russia begun by President Reagan which has been in abeyance for five years. And, consistent with 1995 NPT undertakings, a drastic reduction of the role that

nuclear weapons play in United States security policy by the adoption of a no-first-use policy. Without steps such as these the viability of the NPT cannot be restored and sustained.

A policy of selective application of NPT obligations is not sustainable. To say that the NPT nuclear weapon states do not have to fulfill their nuclear disarmament obligations which are the "quid" for the "quo" for most of the world agreeing never to acquire nuclear weapons; to say that India which has never been recognized by the NPT as a valid nuclear weapon state, which has never accepted the legitimacy of the NPT and has a large stockpile of nuclear weapons has a right to the nuclear fuel cycle and international nuclear trade while Iran which is a NPT party and does not at this time have nuclear weapons, does not have such a right, will not work over the long-term. A successful NPT system must be based on law, not whether we like or dislike a particular nation. In the 1970s arguments were made that the United States should engage in selective proliferation not non-proliferation. We should make sure our friends have them and that our adversaries do not. The first two "friends" that were generally designated as countries that should get the weapons were Yugoslavia and Iran.

Second, steps need to be taken to shore up the other side of the central bargain, the non-proliferation side as opposed to the disarmament side. The inexorable proliferation of the nuclear fuel cycle should be brought to an end in some politically acceptable way. Here again we have a selective approach; for example, Brazil can have it, Iran can not. Perhaps a way to successfully address this question would be to adopt the proposal of Director-General ElBaradei to establish a multilaterally owned nuclear fuel cycle entity on which all states that currently do not have the nuclear fuel cycle can

rely. The Nuclear Suppler Group process in controlling nuclear exports should be strengthened. The Indian Agreement will set a bad precedent in this regard. The Proliferation Security Initiative has an important role to play and the full implementation of Cooperative Threat Reduction programs in Russia is essential if we hope to keep nuclear weapons from international terrorist organizations. And vigorous efforts need to be pursued to bring Iran, and North Korea as well, back into full compliance with the NPT. This will require lengthy and serious negotiations.

In view of all this it may not now be possible to change the course of nations and pursue the policies that are necessary to strengthen and support the NPT and the international nonproliferation regime. But as Paul Nitze indicated seven years ago, in the world we live in today nuclear weapons are a threat even to their possessors. In order to avoid the nightmare world of President Kennedy, either the required steps to strengthen and restore the NPT must be adopted or a way must be found, admittedly difficult but not impossible, to proceed directly to the elimination of nuclear weapons. And for either course to be effectively pursued it must be done on a multilateral basis involving the entire international community. In the context of a breakdown of world order and the War on Terror, with the threat of widespread nuclear proliferation that President Kennedy so rightly feared many years ago an increasing possibility, with nuclear tension a growing threat with thousands of strategic nuclear weapons still on high alert and a Russian early warning system continuing to decline in effectiveness, the NPT system simply must be respected and restored in effectiveness or in the interest of the security and safety of us all, nuclear weapons must be eliminated throughout the world.

How could nuclear weapons actually be eliminated? A possible course of action could be for the President of the United States to call for an extraordinary session of the United Nations General Assembly and ask to address the Assembly. In his speech the President could call for the world-wide elimination of nuclear weapons (as well as all other weapons of mass destruction) and request that the Security Council be charged to carry out this task. The Security Council could then call for the negotiation of a treaty to eliminate nuclear weapons. This would require world-wide intrusive on-site inspection and probably security guarantees to a number of states such as Israel, Iran, Pakistan and North Korea on the edge of conflicts and where nuclear programs are or may be present. North Korea would return to the NPT as a nonnuclear weapon state. There would need to be an agreement by all states to apply economic and, if necessary, military pressure to any state that did not comply with this program or that subsequently violated the negotiated arrangements. In an interim stage the five NPT nuclear weapon states and the three other longtime holdouts from the NPT would be required to eliminate almost all of their arsenals down to very low levels. A second and later stage would require elimination of weapons but these eight states would be allowed to keep a relatively limited amount of nuclear explosive material (highly enriched uranium or plutonium) which could be converted into a small number of weapons as a hedge. This could amount to roughly enough material for five weapons each for India, Pakistan, and Israel, fifteen weapons each for Britain, France, and China and thirty weapons each for the United States and Russia. The material would be maintained under very high levels of national security protection at designated depositories and also be under international safeguards implemented by IAEA inspectors. Under various programs all other nuclear

explosive material would be eliminated throughout the world. Nuclear power production would be reconfigured so as to make no more plutonium by the use of non-proliferative fuels such as the thorium fuel design and eventually advanced reactors. The plutonium in existing spent nuclear fuel around the world would have to be eliminated as well. Such an arrangement would take a long time to negotiate and even longer to implement but we must try for the hour is late. A final stage, years in the future, could be the verifiable elimination of the retained fissile material, once the issue of "missing" fissile material, a feature of the nuclear weapon inventories in all of the nuclear weapon possessing states, has been effectively addressed.

Some might say that all this is unrealistic, how could we ever hope that the United States government would even contemplate the policies associated with either course? I would say in response that we must remember that it is only governments that can control and eliminate nuclear weapons, not civil society. So we must press for and hope for the best and remember that nothing good is ever impossible. Who would have thought that the zero missile option proposed by President Reagan in 1981 would ever happen? Who would have thought the Cold War would end in the foreseeable future? Who would have thought that the Soviet Union would cease to exist? But all of these things did happen.

But in order to achieve the effective control and eventual elimination of nuclear weapons and to establish a peaceful and secure world community in the 21st Century, the United States must lead; there is no alternative. But for this to happen the United States must be believed and trusted. On September 12, 2001, the United States had the trust and support of the entire world. Now, in the wake of the rejection of international treaty arrangements such as the Comprehensive Nuclear Test Ban Treaty, the Ottawa

Convention on land mines, the International Criminal Court, the Kyoto Protocol on global warming, and others; an invasion of Iraq opposed by the world community; and opposition by some to the rules of international humanitarian law and the Geneva Protocols on the treatment of prisoners of war; that support and trust is gone and the United States is reviled and feared in many quarters of the world. Senator John McCain said a few months ago that "America's position in the world is at an all-time low." How can we regain the trust of the world community? How can we return to our historic destiny of keeping the peace and fostering the development of the community of nations, democracies, free market economies, the international rule of law, international institutions, and treaty arrangements?

Among other things we should:

First, recognize that in the wake of the Cold War the world has fundamentally changed, the nation state system that has dominated international life for the last 350 years is rapidly deteriorating. Perhaps some 50 to 70 nations around the world are inexorably slipping into the category of failed states. We cannot go it alone. Since the end of the Cold War there has been roughly one major nation building intervention every two years. Poverty, disease, cultural misunderstandings and machine-gun societies around the world are central national security threats; these are the principal causes of international terrorism and the primary weapons in the battle against terror and declining world order are economic, political, social, cultural and diplomatic, and only rarely military. Reconstruction in failed states is one thing, it is relatively well understood but in many cases development, of necessity involving institution building, is essential to return failed states to a level where they can function. But to quote the well-known

historian Francis Fukayama "any honest appraisal of where the 'state of the art' lies in development today would have to conclude that although institutions may be important we know relatively little about how to create them." But one thing that we do know is that, as expressed by Dr. Fukayama, "Coalitions, in the form of support from a wide range of other countries and international organizations . . . are important for a number of reasons."

And second, for over fifty years the United States pursued a world order built on rules and international treaties that permitted the expansion of democracy and the enlargement of international security. Last year in a speech before the American Society of International Law, the Secretary of State said that when the United States respects its "international legal obligations and supports an international system based on the rule of law, we do the work of making this world a better place, but also a safe and more secure place for America." We should take such steps as ratifying the Comprehensive Nuclear Test Ban Treaty, joining the Ottawa Land Mine Convention, becoming a part of the International Criminal Court and establishing ourselves again as strong advocates of the international rule of law.

In this way we can regain our historic role and we can and we will effectively lead the world community to a safe, secure, stable and just Twenty-first Century.